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C O N F I D E N T I A L SECTION 01 OF 03 VILNIUS 000702

SIPDIS

DEPARTMENT FOR EUR/OHI

E.O. 12958: DECL: 12/22/2019
TAGS: [PHUM](#) [LH](#)
SUBJECT: JEWISH LEADER CALLS LITHUANIAN PROPERTY
RESTITUTION PROPOSAL UNACCEPTABLE

REF: A. VILNIUS 494
[B](#). VILNIUS 391
[C](#). VILNIUS 115

Classified By: Acting Deputy Chief of Mission John M. Finkbeiner for reasons 1.4 (b) and (d).

[1](#). (C) SUMMARY: During a visit to Vilnius, the director general of the World Jewish Restitution Organization (WJRO) told Ambassador Derse that the GOL's current proposal to compensate Jews for the expropriation of communal Jewish property by Nazi and Soviet occupation regimes remained unacceptable, and that the Jewish community hoped the government would be open to further discussion. He also said that the local and international Jewish communities were concerned about Lithuanians' lack of knowledge of the Holocaust and about the desire by some in Lithuania to diminish the Holocaust by equating it with Stalinist repression and murders of Lithuanians. End summary.

[2](#). (U) David Peleg, former Israeli ambassador to Poland and now director general of the WJRO, was in Vilnius December 14-15 to meet with GOL officials, Western ambassadors and the local Jewish community. The Israeli embassy that covers Lithuania is in Riga, and the Israeli deputy head of mission accompanied Peleg to his meetings with GOL officials. For a morning meeting with Ambassador Derse on December 15, Peleg was accompanied by Faina Kukliansky, a lawyer and deputy chairwoman of the Jewish Community of Lithuania (JCL).

Communal property compensation

[3](#). (C) Peleg told the Ambassador that the GOL's current proposal to pay partial compensation for communal property (Ref B) was unacceptable. He said the amount offered by the GOL -- 128 million LTL (56 million USD) -- was inadequate, that it did not offer the return of properties the Jewish community owned and wanted back, that only a fraction of the properties seized were included when calculating the compensation amount, and that the level of compensation had been set at just 30 percent of the value of the buildings. Even the distinction drawn by the GOL between restitution and compensation was offensive and wrong, he said. "Their idea that it is not restitution but a goodwill gesture toward the Jewish community is completely unacceptable to us. This was their property, and it is their right to get back their property for fair compensation for it."

[4](#). (C) The draft law calls for the GOL to designate a foundation to receive the compensation money and determine how to use it. The WJRO and JCL have already created such a foundation. Prime Minister Andrius Kubilius had previously promised he would name that foundation to receive and disburse compensation funds (Ref C), but could not say so explicitly in the draft legislation for fear of stoking opposition. But Peleg told the Ambassador that the GOL

apparently now wants its own representatives, as well as Jewish individuals who do not represent the larger Jewish community, on the foundation board, so it is unclear whether Kubilius plans to, or can, keep his promise. "For us, this is the crucial issue," Peleg said. Kukliansky said she believed the government was telling the Jewish community one thing about the foundation and telling the Seimas (parliament) something else entirely. She said that if the GOL named its own representatives and hand-picked Jewish allies to the foundation, "they would leave the distribution of the funds in the hands of the government, and that is not compensating the Jewish community at all. The worst thing would be if they passed the law and then named a different foundation" than the one created by the WJRO and JCL. Peleg said, "If they pass the law and the situation with the foundation is not satisfied, if the Jewish community sees that restitution will not benefit them, it will be very bad."

15. (C) Peleg said the future was unclear. "Now the issue is whether it's in the interests of the Jewish community for the legislation to be passed at all," he said. He said the WJRO would support any decision made by the JCL. The current position taken by both organizations is to say the current proposal is unacceptable and call on the government to make improvements. Peleg said Justice Minister Remigijus Simasius told him that he hoped to introduce the bill to the Seimas before the end of December, which would not leave much time for additional discussions. "My feeling from the Minister of Justice was not a good one," Peleg said.

16. (C) Whether the draft law will move forward in its current form is uncertain for another reason as well. The

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Seimas lawyers who reviewed the bill to determine whether it was constitutional identified a number of what they said were legal defects (Ref A). GOL officials told Peleg -- and have told us -- that the purported problems are minor and surmountable, and shouldn't delay the bill.

Nazi-Soviet equivalence

17. (C) Peleg said he, like many Jews, is troubled by what he sees as an effort by Lithuania to diminish the importance of the Holocaust by giving equal status to the crimes committed against Lithuanians by the USSR under Stalin. "With all sympathy to the victims of Stalinism, we told them that Nazi Germany wanted to kill all Jews because they were Jews. On the other side, there was no comparable situation," he said. "This equation (argument) is very clear, even if it is not called an equation," Peleg said.

18. (U) Since 1998, Lithuania's legal definition of genocide has included as an underlying factor the intent to destroy people belonging to "social or political groups" as well as groups defined by reference to race, color, religion, descent, and national or ethnic origin. By that definition, the Soviet Union's murder, imprisonment and exile of thousands of Lithuanians, especially the nation's political, academic, civic and intellectual leaders, is considered genocide. But GOL officials also say publicly that they are not trying to equate Soviet crimes with Nazi crimes. In a December 16 speech at an anti-Semitism conference in Israel, Lithuanian Foreign Minister Vygaudas Usackas said, "We do not apply a common measure to the Holocaust and the crimes committed by the Stalinist terror. The condemnation of the crimes of Stalinism in Eastern Europe should never be applied to diminish the moral and political lessons of the Holocaust.... We cannot tolerate any relativism in relation to the memory of the Holocaust."

Education needed

19. (C) Peleg told the Ambassador that attitudes and beliefs

about the Holocaust and about Jews will not change in Lithuania without a concerted effort to educate people, especially young people. "What saddened and depressed me was that most Lithuanians believe that the known fact that Jews were killed by Lithuanians in large numbers is a lie," Peleg said. "I talked to them (GOL officials) about the need to do more with education and with teaching in schools. I was the (Israeli) ambassador to Poland, and the situation is much worse in Lithuania than in Poland in this regard."

¶10. (C) Kukliansky said that even when Lithuanians acknowledge that their countrymen killed some Jews, "they say the Jews were Communists who exiled Lithuanians to Siberia, and that was the reason for the killing of Jews. How can you have education (when) they say the only reason for killing Jews was because they were Communists? And that's on an official level. Their knowledge of history is on such a low level." She also pointed out that several Jews who fought as anti-Nazi partisans have been sought for war-crimes questioning by Lithuanian prosecutors. She said the blackening of the reputations of the Jewish partisans, who often fought together with Soviet troops or Communist partisans, was part of an effort to show the Jews as pro-Soviet and anti-Lithuanian aggressors rather than as victims of and fighters against the Nazis.

¶11. (C) Peleg said he would recommend to the Israeli education ministry that it reach out to the Lithuanian education ministry to discuss possible student-exchange and teacher-education programs. He said he also had suggested such programs to the Israeli ambassador. When he was the Israeli ambassador in Poland, Peleg said, such programs were widespread and successful. Israel sends about 30,000 teenagers a year to Poland to visit the death camps and meet with Polish teens. He said visits by Jewish-American youth groups also were helpful in reducing ignorance and anti-Semitism among Polish youth. Peleg said he hoped that EU structures would be able to contribute to progress in Lithuania, especially in areas such as education and human rights. Ambassador Derse said she would raise the issue with Washington and explore possibilities for the Embassy to do more to help with tolerance education and programs.

¶12. (C) Comment: The Kubilius administration has moved closer to passing a restitution bill than any previous Lithuanian government, but has moved farther away from a bill acceptable to the Jewish community. We will continue to urge

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the GOL to work with the WJRO and the JCL to craft a mutually acceptable solution. If the local and international Jewish communities see the restitution process distorted so that funds will be distributed by a foundation they do not control, the destruction of their trust in the GOL will be complete and may be beyond repair. In discussions with the GOL, we will continue to remind officials of the damage that will ensue to Lithuania's international reputation should the Jewish community reject the restitution law. An unsuccessful restitution plan also would magnify greatly the attention paid by the international community to other elements of the Jewish population's treatment in Lithuania, such as anti-Semitic incidents and statements and the perceived downgrading of the Holocaust. Those are important issues in their own right, of course, and we will work with the GOL, Jewish groups and other American, European and Lithuanian partners to strengthen education programs against anti-Semitism and for tolerance, as well as for an increased understanding of Lithuania's own history.
DERSE